

**CHAPTER NO. 78**

**HOUSE BILL NO. 2438**

**By Representative Litz**

**Substituted for: Senate Bill No. 2511**

**By Senator Southerland**

AN ACT to amend Chapter 370 of the Private Acts of 1955; as amended by Chapter 143 of the Private Acts of 1994; and any other acts amendatory thereto, relative to the civil service system in the city of Morristown.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 370 of the Private Acts of 1955, as amended by Chapter 143 of the Private Acts of 1994, and any other acts amendatory thereto, is amended in Section 10 by deleting subsection (e) in its entirety and by substituting instead the following:

(e) Notwithstanding any provision of the Civil Service Act to the contrary, the chiefs of the respective departments, with the approval of the governing body, shall be empowered, upon proper certification by the board of the eligibility of a new (non-classified service) applicant for a position in the classified service, to appoint such person to such position for a period of six (6) months plus the required time for formal entry level training as defined by departmental policy, but not to exceed a total of fourteen (14) months, during which time the applicant shall be on probation and subject to removal for just cause shown at any time during the probationary period. If the governing body in its discretion deems such person on probation unfit and unsatisfactory for such position, such person on probation may be dismissed. Any action taken by such governing body with respect to the dismissed applicant or probationer shall not be reviewable by the Board. In the event of dismissal of such applicant or probationer for reasons satisfactory to the governing body of the city of Morristown, the board shall again certify the names of persons on the eligible list as the same shall appear from the records of the board. Notwithstanding the foregoing, a departmental chief may request and the civil service board may grant, at its sole discretion, an extension of the probationary period of up to sixty (60) additional days.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the city of Morristown. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

**PASSED: February 18, 2004**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 4<sup>th</sup> day of March 2004

  
PHIL BREDESEN, GOVERNOR